



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

December 12, 2013

Naval Facilities Engineering Command, Pacific,
258 Makalapa Drive, Suite 100,
Pearl Harbor, HI 96869-3134,

Attention: MITT EIS/OEIS Project Manager

Subject: The Mariana Islands Training and Testing Environmental Impact Statement / Oversees Environmental Impact Statement, Guam and Mariana Islands (CEQ # 20130266)

The U.S. Environmental Protection Agency (EPA) is providing comments on the Mariana Islands Training and Testing (MITT) Draft Environmental Impact Statement (DEIS) / Oversees Environmental Impact Statement. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and our NEPA review responsibility under Section 309 of the Clean Air Act.

EPA provided scoping comments for this project in a letter dated November 3, 2011. We support the Navy's goal for this action, to maintain military readiness. We emphasize the importance of the Navy's continued coordination with the National Marine Fisheries Service and the need to use the best available scientific information to assess the impacts of the project. Based on our concerns about alternatives, water resources and standard operating procedures and mitigation measures, we have rated the proposed alternative Environmental Concerns – Insufficient Information (EC-2). The enclosed Detailed Comments elaborate on these concerns and our recommendations.

We appreciate the opportunity to review this DEIS. When the Final EIS is released for public review, please send one hard copy and one electronic copy to the address above (mail code: CED-2). If you have questions, please contact me at (415) 972-3521 or have your staff contact Tom Kelly at kelly.thomasp@epa.gov or (415) 972-3856.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kathleen Martyn Goforth", is written over a light gray circular stamp that contains the text "KATHLEEN MARTYN GOFORTH".

Kathleen Martyn Goforth, Manager
Environmental Review Office

Enclosures: EPA's Detailed Comments
Summary of EPA's Rating Definitions

cc (via email): Valerie Brown, National Marine Fisheries Service
Anthony Montgomery, U.S. Fish and Wildlife Service

Alternatives

The Mariana Islands Training and Testing Study Area is composed of “at-sea ranges and land based training areas on Guam and CNMI,” and “operating areas, and special use airspace in the region of the Mariana Islands that are part of the Mariana Islands Range Complex (MIRC) and its surrounding seas, and includes a transit corridor” (ES-1). Both action alternatives would nearly double the current at-sea training area (from 497,469 nm² to 984,601 nm², page 1-2). The proposed action, Alternative 1, would support an increase in baseline training, and Alternative 2 would support an even larger increase in training.

The DEIS states that the No Action Alternative, required by CEQ regulations, “would fail to meet the purpose of and need for the Proposed Action” (p. 2-54). EPA acknowledges the Navy’s need to train and test to achieve its mission, the stated purpose and need for the action (p. 1-4). The DEIS further clarifies that the action implements the Navy’s Fleet Readiness Training Plan, including four component phases (p. 1-5 to 1-8), and emphasizes the strategic importance of the range (p. 1-8 and 1-9). The DEIS does not, however identify the factors that led the Navy to conclude that the current range size is inadequate, or by extension, the factors that led the Navy to propose the expansion of the training area in the proposed action. We note that Alternative 2 also includes additional training beyond the proposed alternative, but does not propose expansion of the training area beyond the proposed alternative.

Recommendation for the FEIS:

- Identify the factors that led the Navy to determine the training area expansion necessary to meet the purpose and need for the Proposed Action.

Water Quality

*The State of Coral Reef Ecosystems of the United States and Pacific Freely Associated States: 2008*¹ acknowledges sediment run-off as one of the most serious stressors affecting coral reefs in the Mariana Islands. Sediment impacts coral health by blocking light and inhibiting photosynthesis, directly smothering and abrading coral, and triggering increases in macro algae. Additionally, the Department of Defense has committed “to protect U.S. and International coral reef ecosystems and to avoid impacting coral reefs to the maximum extent feasible”.²

¹ Waddell, J.E. and A.M. Clarke (eds.), 2008. *The State of Coral Reef Ecosystems of the United States and Pacific Freely Associated States: 2008*. NOAA Technical Memorandum NOS NCCOS 73. NOAA/NCCOS Center for Coastal Monitoring and Assessment’s Biogeography Team. Silver Spring, MD.

² Department of Defense Policy Statement on Executive Order 13089, see Department of Defense Coral Reef Protection Implementation Plan < <http://www.denix.osd.mil/nr/upload/dodbk5.pdf> >

We are concerned by the potential for erosion by current activities at Farallon De Medinilla as well as the increased training of the proposed alternative. The 2008 range assessment that includes FDM indicates “a narrow submerged shelf with limited coral communities surrounds the island.”³ Per the Range Sustainability Environmental Program Assessment Manual, the range assessment did not assess the fate and transport of sediment, including munitions constituents, from the island.

Recommendations for the FEIS

- Discuss the impacts of erosion at FDM on near shore habitats;
- Provide maps showing coral reefs throughout the training and testing area (e.g. FDM, Santa Rosa Bank etc.)
- Discuss the results of the 5 year reassessment of Marianas Land-Based operational range complex (if available); and
- Consider the potential for mitigation measures at FDM (e.g. construction of settling basins, or moving range targets) to reduce sediment impacts.

Standard Operating Procedures and Mitigation Measures

The DEIS notes a provision of the 2009 proclamation creating the Marianas Trench National Monument:

the Armed Forces shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities, that its vessels and aircraft act in a manner consistent, so far as is reasonable and practicable, with this proclamation. (p. 5-50)

The DEIS does not identify any measures adopted or proposed specifically for the purpose of ensuring that training in the National Monument is consistent with the proclamation.

Recommendation for the FEIS:

Identify the appropriate measures created in response to the presidential proclamation.

³ Final Range Condition Assessment Marianas Land-Based Operational Range Complex Decision Point 1 Recommendations Report GUAM AND COMMONWEALTH NORTHERN MARIANA ISLANDS, May 2008 < <http://www.denix.osd.mil/sri/upload/Final-Marianas-DP1-ES-Official.pdf>>

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.

